

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No. 1116/2019
in
First Appeal (ST) No. 29837/2017

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
Mr. Rahul Mehta I/b. KMC Legal Venture for the Applicant Mr. Sachin Padiye I/b. Girish Agrawal for Respondent Nos.1 to 3.	

CORAM : K.K.TATED, J.
DATED : APRIL, 12, 2019

P.C.

Heard. By this Civil Application, the Applicant - claimants are seeking permission to withdraw the amount deposited by the Appellant Insurance Company.

2 The learned counsel for the Applicant submits that in an accident which occurred on 15.01.1997 the claimant No.1 lost her husband, claimant No.2 her father and claimant No.3 her son Jaikumar Nanikram Dandwani. He submits that the claimant No.1 is a housewife and she has to maintain her daughter and a mother-in-law who is a

senior citizen. He submits that the claimant be permitted to withdraw the amount deposited by the Insurance Company during pendency of the First Appeal.

3 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

4 Hence, the following order:

a) The claimants are permitted to withdraw 50% of the amount, deposited by the Insurance Company, equally without any security only subject to outcome of the First Appeal.

b) Civil application stands disposed off accordingly.

(K.K.TATED, J.)